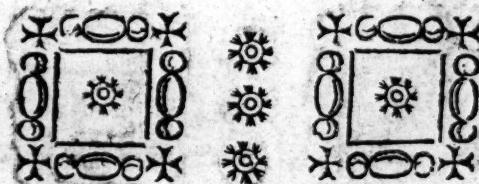


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A  
LETTER  
O F  
REMARKS  
Upon some of the  
OVERTURES,  
Anent CALLING of  
MINISTERS.



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G L A S G O W,  
Printed by WILLIAM DUNCAN,  
in the Year; M. DCC. XXI.



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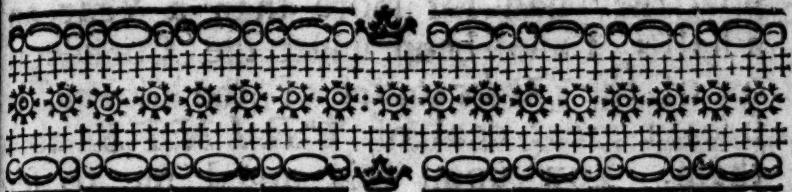
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# LETTER OF REMARKS

Upon some of the OVERTURES  
of  
the present Calling of Ministers.

SIR,



IN our last Conversation I told you, there were some Things in the OVERTURES, both these transmitted by the Commission, and these by the last Assembly, which in my Opinion were of worse Consequence than those which have been so loudly exclaimed against,

against ; when I told you some of them, yo  
wondered no Body had noticed them, sinc  
now they had for more than a Year an  
a half's Time been under the Considerati  
on of the *Judicatories* of the *Church*, be  
sides a great deal of *PRINTS* abou  
them. You upon this urged me to sen  
you my *REMARKS* upon them, e  
specially such of them, as I thought mo  
liable to Censure : This I shall perform  
in this Paper, and shall confine my self to  
such *Overtures* only, as I think of grea  
Moment.

THOSE I reckon are chiefly these  
which concern the Electing and Calling of  
*Ministers*. Upon which Head you'll find  
sundry Things different from the Practice  
of this *Church*, and seemingly contrary to  
the Liberties of the *Church* and Christian  
People. That you may have a fair and  
full View of this Affair I shall set down  
the several *OVERTURES* which re  
late to it together.

THE 1st is in *Chap. 2. Sect. 4. Art. 2d.*  
‘ If they desire to hear others. [ viz. Proba  
tioners besides these in the Bounds of the  
‘ Presbytery ] the Presbytery are first to invite  
‘ them to preach before themselves, and if  
‘ they be satisfied with their Gifts and Testi  
monial, they are to appoint them to Preach  
‘ in their vacant Congregation. This seems  
very

very hard both upon the *Probationer* and the Parish, to refuse his Preaching in the Vacancy meerly upon the *Presbytrie's* Dissatisfaction with his Gifts upon their hearing one single Sermon: In this case I should think it just, the *Presbytry* shoulg give an Account of the Particulars in the Sermon they are dissatisfied with, and if they be really of weight, the Parish should be advised to consider them before they go in to a *CALL*, and advertised that if they do, the *Presbytry* may find the *Probationer* on Tryal unfit for the Office as being one that wants the main Character of a *Pastor*, aptness to Teach. But to refuse his Preaching in the Vacancy upon this first slender Piece of Tryal, seems very unjust, and it's still the worse that no Relief is provided either to the Parish or *Probationer* if they think themselves lesed by these *OVERTURE S.*

THE 2d is in Chap 2. Sect. 4. Article 6. ‘The *Elders* of the vacant Congregation acquaint the *Presbytry* that they not only have had their Thoughts on a fit Person to supply the Vacancie, but have communicate the same to the *Heitors* and other Heads of Families, and that they judge it probable he will be generally Acceptable; And if the *Presbytry* be also satisfied with the Person proposed &c: Then they are to cause Intimation to be made of the *CALL*. IT

IT would seem by this, That the Presbytry are to have a Negative over the Church's Call, so that if they are not satisfied the Church cannot Call : it would be necessary it should be explained what is meant by the Presbyteries being satisfied with the Person proposed, for if the Presbytry have nothing to object against the Person's Orthodoxy or Morals, they are certainly obliged to grant the Petition of the Parish, and if they have any Thing to object upon these Heads, it must immediately come to a Process, and the particulars must be condescended upon, if this be refused, it's certainly in the Power of a Presbytry to keep a Parish as long vacant as they please ; and to hinder the best and most comfortable Settlements, they have no more to do but to say they are not satisfied with the Person proposed, and then let his Abilities and Qualifications be never so eminent, if he is not in every Respect agreeable to them, they can defeat the Design by saying they are not satisfied with the Person, which is certainly Tyranny over the Church of God, and a Lording it over GOD's Heritage : But to convince you Sir what is meant by this Article, I shall proceed to

A 3d, It's Article 14 of the same Section and Chapter, where you see the Form of a *CALL* has this plain Novelty in it, We the *Heritors and Elders &c.* : ----- have agreed with the Consent of the *Parishioners of the Parish* foresaid, and Concurrence of the Reverend Presbytry of to Invite, Call and Intreat, &c. This Form, if this *Overture* is to be turned into an *Act*, must take Place in all the future *CALLS* of this Church: So that no Parish can Call in Time to come without the Concurrence of the *Presbytry*, which is plainly to give the *Presbytry* a *Negative* over the *CALL* of the People, so that they cannot Call or Elect any Person without their Concurrence. The Laws have given us a *Lajck Patron* which we justly complain of as a just and great Grievance, and here the *Overtures* give us an *Ecclesiastick Patron* as if the former were not sufficient Grievance to the Church. If we are against the first, I see no Reason why we should be for the second; if the one be a Grievance and Tyranny over the *Church*, is not the other the same Thing? The *Presbytry* have an after Approval or Concurrence when the *CALL* is presented to them, that is, they approve of the *CALL* as duly proceeded in, and Concur with it so far as to take the Person under Tryals. This you'll see is distinct from

from this Concurrence by the *Overture Article 15.* following. So that by the *Overtures* there is a twofold Concurrence of the *Presbytery*:

The *1st* is, they must be satisfied with the Person proposed, and Concurr with the Parish in the *CALL* to the Person, and without this the Parish cannot *Call*.

The *2d* is a posterior Concurrence with the *CALL* when it is laid before them, so as to grant the Parishes Desire of putting the Person called under Tryals, this last is very Just and Reasonable, but for the first there is no Reason at all; for it's certainly the Right of the *Church* to Elect and Call their own *Pastor* whether the *Presbytry* Concurr or not, if they make a bad and indiscreet Choice let the *Presbytry* see to it, in the Accuracy and Severity of their Tryal, and reject the Person called, if they find him upon Tryal Insufficient, for no Body doubts but its their Rule from the inspired Apostle 'to lay Hands suddenly upon no Man.'

NOW Sir, I beg upon the whole, if if you do not think this worse than the Negative so generally disliked, and that it introduces a very dangerous *Patronage* and *Tyranny* into our *Churches*, and if this be a probable Method to have the Grievance of *Patronage* removed from us, so far from it

it, that it seems to be a real Approbation of it. I nothing doubt but the *Advocates* for the *O V E R T U R E S*, when they find these Things objected, will explain away this, as they did a former *Negative*, I shall be very glad they do so, seeing its for the Interest of the *Churches of Christ* they should, tho' in the mean Time, I'm satisfied, I have said nothing upon this Head, but what is agreeable to the plain, literal, obvious Sense of the Passages I have quoted.

A Fourth Passage is Paragraph 17 of the same Section. The *Presbytery* is to consider the Reasonableness of the Transportation desired, and if that be not evident to them, they are not to concur in the Call, i. e. they are not to concurred in granting the Desire of the *Parish* and *Eldership* of sending one of their Number to preside in Moderating of a Call, or they are not to concurred with the Call, now when presented to them for their Approbation and Concurrence. This in my Judgment is far beyond the sixth *Act of Assembly* 1694, which is only an Advice and Recommendation to the *Parish*, to desist from the Pursuit, but nothing so peremptory as this, to refuse to concurred, when the *Parish* insists. This puts me in mind of another *Overture* in which all Advices and Recommendations of superiour Courts have the Strength of a Law; You'll find it in Ch.

I. Sect. 2 Paragr. 9. Pag. 18. The General Assembly enjoins all Kirk-Sessions punctually and diligently to obey and observe the Appointments and Recommendations of superior Judicatures. So then they must observe and obey not only Appointments but Recommendations and Advices.

I still thought they should pay a due REGARD to their Recommendations and Advices, but never dreamed but they might go contrary to them, if they thought them unreasonable or inexpedient to their Case, and that they were at Liberty to obey them or not as they found Cause, else I see no difference 'twixt Appointments, Acts, Decisions, and Recommendations or Advices. But if we are to take Advice and Recommendation in this Sense, then this shews what Sense it bears in the *O V E R T U R E* of this Assembly 1720, viz. If a Question fall out in a Session in Matters of Discipline to be execute by the Minister, then nothing should be concluded unless it be agreed to by the Minister and Plurality of the Elders, till the Presbytery give their Advice and Direction thereupon. In this Sense of the Word, it's plain by Advice and Direction must be meant Decision, or what is intirely equivalent to it, so that the Affair cannot return to the Session to be by them decided contrary to this Advice, which is the Sense some have put upon it.

To

To support this, is what we find in Chap. 2 Sect. 4. Paragr. 19. If the Person called be a Minister settled in another Congregation, the Commissioners of the vacant Parish, with one commissionated from the Presbytry, if need be, are to apply to the Presbytry to which he belongs, This if need be, is to be understood if they concurr not with the **C A L L** as above, for the Reason specified in Par. 17. tho' I think it the hardest Matter that can be, upon that Reason not to Concurr. To the same Purpose is that in Sect. 6. Par. 2. pag. 78 *In Transportations, the first Step is to see the C A L L be legally proceeded in, and approved by the Presbytry in whose Bounds the vacant Parish is.* If the Presbytry concurr not, I see no need of their Approbation, since the End of that is for Concurrence: it would seem sufficient in that Case, that it be attested by the Minister who moderated in the **C A L L**: but still the great Complaint will be that a Presbytry approves of a **C A L L** as legally proceeded in, and deny their Concurrence to prosecute it. For my Part, if they find the one, I think they should be obliged to do the other. When you put all these together, the Thought will be unavoidable, that the Compilers have had their Eye to a very special and particular Case which every Body knows, for to this Case are all these *Canons* especially adjusted.

I shall only further notice to you, the State of the Vote in Transportations when the Parish calling is in a different Presbytery, Sect. 6. para. 19. Then the Question is, *Dissolve his Relation or not.* I shall only Remark here, that this is very hard upon the Minister. His Relation is dissolved to the Parish he is in Possession of, and he is not certain if the Presbytery to which he is transported receive him or not, and by that means he may come to be in the State of Mr. Shaw of Kilsindie, lose both.

I shall not at this Time make any Remarks about the *OVERTURES* that concern General Sessions, both because so much has been said upon that Head, and because I do not see any more should be said untill the Assembly receivein the Reports from the Parties, and Presbyteries in whose Bounds they are, in which Case I think they stand obliged to transmit them to the Presbyteries for their *REMARKS.*

I shall end this *LETTER* by one Remark upon the *OVERTURES* transmitted by this present Assembly 1720, anent Calling of Ministers, in the last Paragraph of which they say.

*Lastly, In case of vacant Kirks in Royal Burghs, the Magistrates and Town-Council, Ministers and Elders, of the Burgh be the Electors. But when a Part of the Parish be-*

belongs to the *Landward*, the *Heritors* and *Elders* of that Part of the *vacant Parish* are to joyn in the Election and Calling of the *Ministers* to supply these *Vacancies*, according to use and wont.

THE first Thing I remark here is, what Concern this has with the Title of the Act. viz. of planting *vacant Churches*, especially *tanquam jure devoluto*, this laist Part of the Act has no Relation to the *jus devolutum* that I can see, upon what View or Design it has papt in here where no Body could expect it, is not for me to gues.

2dly, How Irrational, Inexpedient and out of the Road is it for our *Church Judicatures* to make *Acts* and *O V E R T U R E S* to declare who are *Legal Callers*; for no Body can imagine that *Magistrates*, *Town-Council*, *Heretors*, as such, are *Electors* and *Callers* by Divine Right, as Members of the *Church* no doubt they are, but not as *Magistrates*, *Council* or *Heritors*. It belongs to the Legislature to declare who are *Legal Callers*, and not to our *Judicatures*, unless they design to usurp the Legislature: It's our Busines only to concern our selves with a *Gospel CALL*, and who are *Callers* by Divine Right, and never to do any Thing against a *Gospel CALL*, but by all means to promote it, whether it be *Legal* or not; and by the Way I take  
the

the Liberty to recommend to you a Book writ last Year upon this Subject as a very pious and worthy Performance, intituled *jus populi*, which I think every Minister should read.

3dly, I find the *Ministers* in Burghs are by this *O V E R T U R E* made *Callers*, this is what I do not understand; I own *Ministers* should be consulted with in *Calling* of their *Colleagues*, and that their People should pay a just Regard to their Judgments, and when they do so, I think *Ministers* should lay it down to themselves as a Rule, That whom the *Church* of God choose to be their *Minister*, him they are obliged to make their *Colleague*, unless they have Things to alledge against the Person, which will bear weight before the *Presbytery*. If *Ministers* be *Callers*, I do not see but the Form of a *C A L L* in the *O V E R T U R E S* Pag. 69. must be altered, for there they invite the *called* to take the Charge of their Souls, and then promise Encouragement and Submission to his *Ministry* in the Lord; but then its not only the *Minister* who is to be *Colleague* to him, that *called*, but all the *Ministers* in the Burgh, and in some Burghs, with *Principals* and *Professors* who are also *Ministers* tho' not in the Burgh they will make a goodly Number; What Reason there is for this I see not, unlesis it be

be that they have one Common General Session, and if that Reason be good, I see not but it's as good that all the Ministers of the Presbytery should be Callers, since they are all in that Sense Colleagues, by having one Common Presbytery. But why is this Priviledge confined by the Overture to Ministers in Burghs, since there are abundance of Collegiat Kirks which are not Burghs, and yet it's confin'd to Ministers in Burghs; What the Design and View here is I leave you to gues.

4thly, The Elders of the Burgh are declared to be Callers, I have heard of Elders of the Kirk, but this is the first Time I ever heard of the Elders of the Burgh; have the Elders, by being Elders of a particular Kirk, also a Relation as Elders to the whole Burgh? Are their Edicts and Elections, for the whole Burgh, and served in all the Kirks? By Elders of the Burgh they must mean either the Elders of the particular vacant Kirk, and these no Body doubts are Callers.

OR 2dly, By Elders of the Burgh I judge is meant the Elders of all the distinct Kirks in the Burgh meeting in a General Session, and so by this Act the General Session are made Callers in prejudice of the Rights of the particular Sessions, which is a Case not yet decided, and looks very unfair to decide.

cide it here by so general and double faced a Clause, which no Body could expect at first View to be the Design of it. I say it with regrate, those little Arts are Things unworthy of our Courts, what they have in them of the Wisdom of the *Serpent* I shall not say, but sure I am they are far from the harmlessness of the *Dove*; and it's so much the worse because of the last Clause of the next Overture about *General Sessions*, for by this all the *Presbyteries* are lulled asleep, and expecting nothing should be done anent them, untill they are again transmitted by the next *General Assembly* according to the Intent of that *Overture*, with which Words I shall also end this Letter, for I am sure this Melancholy Subject has wearied you as it has done me. The Words are these that follow,

*AND the General Assembly considering, that it is but in some few Burghs, where General Sessions are, and that the Presbyteries in whose Bounds these Burghs ly, have most Access to know the Constitution and Practice of the General Sessions : The General Assembly do therefore recommend to the respective Presbyteries, in whose Bounds these Burghs are, to enquire into the Constitution and Practice of the said General Sessions, and report to the next General Assembly.*

F I N I S.

